

PATENT  
Docket No. 287.00070101IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Robellard et al. ) Group Art Unit: 3727  
Serial No.: 10/758,626 ) Examiner: Unassigned  
Confirmation No.: 6109 )  
Filed: January 15, 2004 )  
For: RESEALABLE CONTAINERS HAVING INTERNAL ROLLER SURFACE

RECEIVED  
CENTRAL FAX CENTER  
SEP 13 2004ELECTION UNDER 37 C.F.R. §3.71, REVOCATION,  
POWER OF ATTORNEY, AND CERTIFICATE UNDER §3.73(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Assignee VALSPAR SOURCING, INC. of the entire interest in the above-identified application hereby elects, under 37 C.F.R. §3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints those registered patent attorneys and registered patent agents associated with Customer Number 26813 as its attorney or agent (with full powers of appointment, substitution, and revocation) to prosecute the application, and any division, continuation, continuation-in-part, reexamination, or reissue thereof, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent.

Please send correspondence to the following address:  
Attention: Matthew W. Adams  
Mueeting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
Customer Number 26,813

*Election Under 37 C.F.R. §§3.71, Revocation, Power of Attorney and Certificate under §3.73(b)*

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Serial No.: 10/758,626

Confirmation No.: 6109

Filed: January 15, 2004

Title: RESEALABLE CONTAINERS HAVING INTERNAL ROLLER SURFACE

**Statement under 37 C.F.R. §3.73(b)**

**VALSPAR SOURCING, INC.** states that it is the assignee of the entire right, title and interest in the above-identified patent application by virtue of assignments to **VALSPAR SOURCING, INC.** Copies of the Assignments are attached.

The undersigned (whose title is supplied below) is empowered to sign this document on behalf of the Assignee.

ASSIGNEE:  
VALSPAR SOURCING, INC.

30 Aug 2004  
Date

Andrew Ubel  
Signature

ANDREW UBEL  
Typed or Printed Name

Secretary  
Title

COPY

## ASSIGNMENT

WHEREAS We, James R. Robellard, Steven D. Person, Gary F. Prokop, Randall P. Bell, Mark D. Kiel, and Allen B. McKinnick, with residences and citizenships as indicated below; have been named as inventors of one or more inventions described in

**RESEALABLE PAINT CONTAINER HAVING INTERNAL PAINT ROLLER SURFACE**  
U.S. Provisional Application No. 60/440,582, filed January 16, 2003  
Docket No. 287.00070160

**RESEALABLE CONTAINERS HAVING INTERNAL ROLLER SURFACE**  
U.S. Nonprovisional Patent Application Serial No. 10/758,626, filed January 15, 2004  
Docket No. 287.00070101

**RESEALABLE CONTAINERS HAVING INTERNAL ROLLER SURFACE**  
International Application No. PCT/US04/01085, filed January 15, 2004  
Docket No. 287.00070201

and executed the above-referenced application(s) for Letters Patent of the United States of America, and the above-referenced international application, based thereon;

NOW, THEREFORE, for good and valuable consideration, receipt of which is acknowledged, we have individually and jointly agreed to assign and transfer and do hereby assign and transfer unto Valspar Sourcing, Inc. (hereinafter referred to as "COMPANY"), a corporation of Minnesota, having its principal office at 1101 South Third Street, Minneapolis, Minnesota 55415, its successors and assigns, the entire right, title, and interest in and to said invention(s) and applications, and in and to any division or continuation (in whole or in part) of said applications, and in and to any and all improvements in said invention(s) made by us or any of us or made jointly with others (provided any such improvement is made or conceived during, or within one year after the termination of, the employment by (or other relationship with) the COMPANY or its parent, The Valspar Corporation, of whichever of us, solely or jointly with one or more others, has made the same), and in and to any and all Letters Patents, reexaminations, reissues, or extensions thereof, of the United States of America and countries foreign thereto (including the right to apply for Letters Patents, Utility Models, or Inventors' Certificates in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), which have been or may be granted thereon or on any divisional, continuation (in whole or in part), renewal, reexamination, reissue, or other or further application based in whole or in part upon said invention(s) or improvements thereon, to be held and enjoyed as fully and exclusively as they would have been by us or any of us had this assignment and transfer not been made;

WE do further agree for ourselves and for our heirs, executors, and administrators, to execute and deliver without further consideration any further applications, assignments, and documents, and to perform such other acts as we lawfully may, that may be deemed necessary by the COMPANY, its successors, assigns, and nominees, fully to secure its right, title, and interest as aforesaid and to obtain or maintain Letters Patents, Utility Models, or Inventors' Certificates in any and all countries;

AND we do hereby authorize and request the Commissioner of Patents to issue any and all Letters Patents which may be granted upon any of said applications, to Valspar Sourcing, Inc. as the assignee of the entire right, title, and interest therein.

IN WITNESS WHEREOF, we have hereunto signed our names on the days and years set forth below.

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## Assignment

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James R. Robellard  
Name: James R. Robellard  
Address: 1429 Heron Drive, Antioch, IL 60002  
Citizenship: U.S.

Date

7-21-04

STATE OF Ill. )  
COUNTY OF Cook ) ss.

On this 21<sup>st</sup> day of July 2004, before me personally appeared James R. Robellard, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Notary Public



Steven D. Person  
Name: Steven D. Person  
Address: 525 138<sup>th</sup> Avenue NE, Ham Lake, MN 55304  
Citizenship: U.S.

Date

8-17-04

STATE OF Minnesota )  
COUNTY OF Hennepin ) ss.

On this 17<sup>th</sup> day of August 2004, before me personally appeared Steven D. Person, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Notary Public



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Assignment

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Docket Nos. 287.00070160, 287.00070101, 287.00070201

Gary F. Prokop  
Name: Gary F. Prokop  
Address: 836 Pick Street, Wheaton, IL 60187  
Citizenship: U.S.

7.27.04  
Date

STATE OF ILLINOIS )  
COUNTY OF COOK ) ss.

On this 27<sup>th</sup> day of JULY 2004, before me personally appeared Gary F. Prokop, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Paula G. Hight  
Notary Public



Randall P. Bell  
Name: Randall P. Bell  
Address: 7922 Augusta Street, River Forest, IL 60305  
Citizenship: U.S.

7/27/04  
Date

STATE OF ILLINOIS )  
COUNTY OF COOK ) ss.

On this 27<sup>th</sup> day of JULY 2004, before me personally appeared Randall P. Bell, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Paula G. Hight  
Notary Public



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## Assignment

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Docket Nos. 287.00070160, 287.00070101, 287.00070201

Mark D. Kiel  
Name: Mark D. Kiel  
Address: 17W180 Rodeck Lane, Bensenville, IL 60106  
Citizenship: U.S.

7/27/04  
Date

STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF COOK )

On this 27<sup>th</sup> day of JULY, 2004, before me personally appeared Mark D. Kiel, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Paula G. Hight  
Notary Public



Allen B. McKittrick  
Name: Allen B. McKittrick  
Address: 2382 Overlook Court, Naperville, IL 60563  
Citizenship: U.S.

7/27/04  
Date

STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF COOK )

On this 27<sup>th</sup> day of JULY, 2004, before me personally appeared Allen B. McKittrick, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Paula G. Hight  
Notary Public



COPY

## ASSIGNMENT

WHEREAS, Herbst Lazar Bell, Inc., a corporation organized under the laws of the State of Illinois, and having an office and place of business at 355 North Canal Street, Chicago, Illinois 60606 (hereinafter referred to as the "UNDERSIGNED"), has or may have certain ownership interests in one or more inventions described in

**RESEALABLE PAINT CONTAINER HAVING INTERNAL PAINT ROLLER SURFACE**  
U.S. Provisional Application No. 60/440,582, filed January 16, 2003  
Docket No. 287.00070160

**RESEALABLE CONTAINERS HAVING INTERNAL ROLLER SURFACE**  
U.S. Nonprovisional Patent Application Serial No. 10/758,626, filed January 15, 2004  
Docket No. 287.00070101

**RESEALABLE CONTAINERS HAVING INTERNAL ROLLER SURFACE**  
International Application No. PCT/US04/01085, filed January 15, 2004  
Docket No. 287.00070201

and in the above-referenced application(s) for Letters Patent of the United States of America, and the above-referenced international application, based thereon;

AND WHEREAS, Valspar Sourcing, Inc., a corporation organized under the laws of the State of Minnesota, having its principal place of business at 1101 South Third Street, Minneapolis, Minnesota 55415 (hereinafter referred to as "COMPANY"), wishes to acquire the entire right, title, and interest in and to said invention(s) and to said patent applications and to any foreign and U.S. Letters Patent(s) to be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the UNDERSIGNED hereby agrees to assign and transfer and does hereby assign and transfer unto COMPANY, its successors and assigns, the UNDERSIGNED's entire right, title, and interest in and to said invention(s) and applications, including but not limited to, its entire right, title, and interest in and to said invention(s) and applications, and in and to any division, continuation (in whole or in part), or renewals thereof, of said applications, and in and to any and all improvements in said invention(s) made by any of Gary F. Prokop, Randall P. Bell, Mark D. Kiel, and Allen B. McKittick, individually or jointly with others, and in and to any and all Letters Patent(s), reexaminations, reissues, or extensions thereof, of the United States of America and countries foreign thereto (including the right to apply for Letters Patents, Utility Models, or Inventors' Certificates in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), which have been or may be granted thereon or on any continued prosecution application, divisional, continuation (in whole or in part), renewal, reexamination, reissue, or other or further application based in whole or in part upon said invention(s) or improvements thereon, to be held and enjoyed as fully and exclusively as they would have been by UNDERSIGNED had this assignment and transfer not been made;

THE UNDERSIGNED hereby agrees that the UNDERSIGNED, its successors, and legal representatives will make, execute, and deliver (without charge but at the expense of the COMPANY) any and all other instruments in writing including any and all further application papers, affidavits, assignments, and other documents, and will communicate to said COMPANY, its successors and assigns all facts known to the UNDERSIGNED relating to said invention(s) and the history thereof and will testify in all legal proceedings and generally do all things deemed necessary or desirable by the COMPANY to vest in the COMPANY, its successors or assigns and secure the entire right, title, and interest in and to said invention(s), applications, and Letters Patents, including all benefits, privileges, and advantages, that are hereby sold, assigned and conveyed, or intended so to be;

THE UNDERSIGNED represents and agrees with the COMPANY, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the UNDERSIGNED, and that full rights to convey the same as herein expressed are possessed by the UNDERSIGNED;

AND THE UNDERSIGNED hereby authorizes and requests the Commissioner of Patents to issue any and all Letters Patents which may be granted upon any of the said applications, to Valspar Sourcing, Inc. as the assignee of the UNDERSIGNED'S entire right, title, and interest therein.

COPY

## Assignment

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Docket Nos.: 287.00070160, 287.00070101, and 287.00070201

IN TESTIMONY WHEREOF, the below-identified representative of the UNDERSIGNED, being duly authorized to act on behalf of the UNDERSIGNED, has hereunto set his hand on the date as indicated below.

Date: 5/4/04By: [Signature](Printed Name:) MARIL DZERSKTitle: SVP DESIGNSTATE OF ILLINOIS )COUNTY OF COOK )

) ss.

On this 4<sup>th</sup> day of MAY 2004 before me personally appeared MARIL DZERSK to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

[Signature]  
Notary Public